

BEFORE THE  
OFFICE OF ADMINISTRATIVE HEARINGS  
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

BAY AREA TECH SCHOOL- WILLOW  
EDUCATION, AND OAKLAND UNIFIED  
SCHOOL DISTRICT.

OAH CASE NO. 2014010955

ORDER GRANTING MOTION TO  
AMEND COMPLAINT AND ADD  
PARTY

On January 27, 2014, Student filed a due process hearing request (complaint), naming Bay Area Technology School, operated by Willow Education. On February 26, 2014, Student filed a request to file and amended complaint to add Student's district of residence, Oakland Unified School District, as a respondent. OAH did not receive an opposition to the motion.

An amended complaint may be filed when either (a) the other party consents in writing and is given the opportunity to resolve the complaint through a resolution session, or (b) the hearing officer grants permission, provided the hearing officer may grant such permission at any time more than five (5) days prior to the due process hearing. (20 U.S.C. §1415(c)(2)(E)(i).)<sup>1</sup> The filing of an amended complaint restarts the applicable timelines for the due process hearing. (20 U.S.C. §1415(c)(2)(E)(ii).)

The motion to amend is timely and is granted. The amended complaint shall be deemed filed on the date of this order. Student shall serve a copy of the complaint on Oakland Unified School District. All applicable timelines shall be reset as of the date of this order. OAH will issue a scheduling order with the new dates.

IT IS SO ORDERED.

DATE: March 4, 2014

/s/

ALEXA J. HOHENSEE  
Administrative Law Judge  
Office of Administrative Hearings

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<sup>1</sup> All statutory citations are to Title 20 United States Code unless otherwise indicated.